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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/960,420	09/21/2001	Hitoshi Katoh	JP920000308US1	5565
7590 08/12/2005			EXAMINER	
Ryan, Mason & Lewis LLP 90 Forest Avenue Locust Valley, NY 11560			VU, THANH T	
			ART UNIT	PAPER NUMBER
			2174	

DATE MAILED: 08/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Response to Amendment

The amendment filed on 04/18/2005 canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention because:

Restriction to one of the following inventions is required under 35 U.S.C. 121:

Group I. claims 1-24 are drawn to mark up language user interface, classified in class 715, subclass 760.

Group II. claims 25-46 are drawn to client/server classified in claim 715, subclass 203.

The inventions are distinct, each from the other because of the following reasons:

Inventions Groups I and II are related as subcombinations. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, while invention I has separate utility such as displaying an image on a graphical user interface in which the image are selectable, and invention II is directed to computer provides an interface and performs local data processing to interact with at least one remote computer to transfer data between the local computer and the remote computer. See MPEP § 806.05(d).

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification and divergent subject matter, and because the searches for the individual Groups are not coextensive, restriction for examination purposes as indicated is proper.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution

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on the merits. Accordingly, claims 25-46 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Since the above-mentioned response filed 04/18/2005 appears to be a non *bona fide* attempt to reply, therefore applicant time period for response continues to run from the last office communication dated 04/06/2005. Applicant is required to supply the omission or correction in order to avoid abandonment.

This restriction is made Final.


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